

Affidavit by: CBP Enforcement Officer Mariano Garay-Ortiz

Re: Mr. Nelkin Antonio NIN

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AFFIDAVIT FOR CRIMINAL COMPLAINT

I, Mariano Garay-Ortiz, Customs & Border Protection Enforcement Officer, duly swear that the following statement is true and correct to the best of my knowledge and belief and is based on information personally known to me and provided by Customs & Border Protection Officers G. Delgado and C. Mendez.

1. I am a U.S. Customs and Border Protection Enforcement Officer with the Department of Homeland Security, assigned to investigate Immigration Law violations and Criminal Laws of the United States at the Luis Muñoz Marín International Airport, Carolina, Puerto Rico.
2. On or about August 25, 2020, at the Luis Muñoz Marín International Airport in Carolina, Puerto Rico, Mr. Nelkin Antonio NIN, a citizen of the Dominican Republic, was found in the United States attempting to board Jet Blue Airline's flight number 2204, bound to the city of New York, NY.
3. During the inspection conducted by the U.S. Customs and Border Protection Officer, Mr. Nelkin Antonio NIN claimed to be a citizen of the Dominican Republic and presented a Dominican Republic Passport number SC9540351, a United States Visa number C9105410 and a US Customs and Border Protection admission stamps on pages 8 and 10 of the passport as proof of identity and authorized stay in the United States.
4. Mr. Nelkin Antonio NIN claimed to be the rightful owner of the Dominican Republic Passport number SC9540351, containing his photo and issued under the name of Nelkin Antonio NIN.
5. Mr. Nelkin Antonio NIN claimed to be the rightful owner of the United States Visa (or foil) number C9105410, containing his photo and issued under the name of Nelkin Antonio NIN.
6. During the inspection process, Mr. Nelkin Antonio NIN was referred for a more thorough interview and a closer examination of the documents that he presented, due to the fact that the documents did not appear to be genuine.
7. The United States Visa Number C9105410 was queried thru the Immigration Data Base System and the query revealed that the owner of the visa foil number is a man born in India on September 1992.
8. The United States Visa Control number 20161076520021 was queried thru the Immigration Data Base System and the query revealed that the visa control number do not exist in any system.
9. Mr. Nelkin Antonio NIN was read his Miranda rights and decided to waive his rights to remain silent and speak to an attorney before answering any questions from the Customs & Border Protection Officers. After the waiver, Mr. Nelkin Antonio NIN was placed under oath and stated to Customs & Border Protection


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Officer Mariano Garay that his true name is Nelkin Antonio NIN, a national and citizen of the Dominican Republic.

10. During questioning, Mr. Nelkin Antonio NIN admitted that he obtained the documents by paying an approximate amount of \$1000.00 USD to an unknown man in order to travel to the United States.
11. Further inspection using the Dominican Republic Consulate database system confirmed his true identity as Nelkin Antonio NIN, a citizen and national of the Dominican Republic.
12. Accordingly, Mr. Nelkin Antonio NIN is a citizen and national of the Dominican Republic and is an illegal alien with no authorization of legal status to be present in the United States.
13. Mr. Nelkin Antonio NIN was found in the United States using documents knowing them to be forged, counterfeited, altered, or falsely made, or to have been procured by means of any false claim or statement, or to have been otherwise procured by fraud or unlawfully obtained, all in violation of 18 USC 1546 (a).
14. Since this affidavit is submitted only for the purpose of securing a limited a criminal complaint, I have not set each and every fact known to me concerning this investigation. I have included what I believe are facts sufficient in establishing probable cause for the complaint.



Mariano Garay-Ortiz
Customs and Border Protection
Enforcement Officer

4:10 PM

Sworn in accordance with the requirements of FRCP 4.1 at ____ by telephone, this 26 day of August 2020.

s/Camille L. Vélez-Rivé
Honorable Camille L. Velez Rive
US Magistrate Judge
District of Puerto Rico
San Juan, Puerto Rico